

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

UNITED STATES OF AMERICA, )  
                                )  
Plaintiff,                 )  
                                )  
vs.                         )                      Case No. 4:07-CR-511 (JCH)  
                                )  
DENISE HARDY, DPM, et al., )  
                                )  
Defendants.                 )

**ORDER**

This matter is before the Court on Defendants' pre-trial Motion to Dismiss. (Doc. No. 20 and Doc. No. 24) and Defendant St. Louis Orthopedic Group, Inc's Motion to Strike (Doc. No. 21). Pursuant to 28 U.S.C. § 636(b), this matter was referred to United States Magistrate Judge Thomas Mummert, who filed a Report and Recommendation on October 26, 2007. (Doc. No. 30). In his Report and Recommendation, Magistrate Judge Mummert recommends that Defendants' motions be denied. After de novo review of the entire record in this matter, this Court adopts the Magistrate Judge's recommendation that Defendant's motion be denied.

Accordingly,

**IT IS HEREBY ORDERED** that the Report and Recommendation of the United States Magistrate Judge (Doc. No. 30) is **SUSTAINED, ADOPTED, AND INCORPORATED** herein.

**IT IS FURTHER ORDERED** that Defendants Motions' to Dismiss (Doc. No. 20 and Doc. No. 24) are **DENIED**.

**IT IS FURTHER ORDERED** that Defendant Orthopedic Group's Motion to Strike (Doc. No. 21) is **DENIED**.

Dated this 28th day of January, 2008.

/s/ Jean C. Hamilton  
UNITED STATES DISTRICT JUDGE